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July 5, 2005

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\*MA and NY Bar

Brandon J. Miller, Examiner  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No.: 09/716,629  
Transfer of Optimization Algorithm Parameters During Handover  
Of a Mobile Station Between Radio Network Subsystems  
Filed: November 20, 2000  
Your Ref.: NC24939US – Our File: 944-001.008-1

Dear Mr. Miller:

We received your Notice of Allowance and Notice of Allowability which was mailed June 24, 2005, thank you.

We noticed that there were two 1449 forms that had been filed with IDS's that were not signed off on by an Examiner. I have enclosed copies of the 1449's in question. Please initial same and return them to us as soon as possible. The IDS sent in on April 17, 2001 had two pages to the 1449 form. The first page was initialed but the second page was not. Please initial the second page. The IDS sent in on October 28, 2004 had 5 foreign patent documents listed on the 1449. Please initial those 5 references.

We would appreciate your prompt attention to this matter. Thank you.

Very truly yours,

Anatoly Frenkel

AZF/mef  
Enc.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,629	11/20/2000	Jan Suumaki	944-001.008-1	8246

4955 7590 04/10/2003

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EXAMINER

MILLER, BRANDON J

ART UNIT PAPER NUMBER

2683

7

DATE MAILED: 04/10/2003

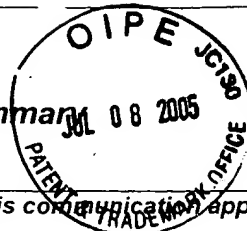
Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON

APR 15 2003

FILE 944-601-8-1  
ANS'D. fp

## Office Action Summary



Application No.

09/716,629

Applicant(s)

SUUMAKI ET AL.

Examiner

Brandon J Miller

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren in view of Agin.

Regarding claim 1 Widegren teaches negotiating parameters during connection handover of a mobile station between radio network subsystems (see abstract, col. 7, lines 34-40 and col. 12, lines 20-22). Widegren teaches signaling from a source radio network subsystem to a core network or from the target radio network subsystem to a source radio network subsystem that a handover is to proceed (see col. 7, lines 18-40). Widegren teaches transmitting parameters from a source radio network subsystem to a target radio network subsystem directly or via a core network without any need for renegotiating parameters over an air interface between a mobile station and a target radio network subsystem (see abstract, col. 5, lines 63-67 and col. 6, lines 10-20). Widegren does not teach parameters of an optimization algorithm during a connection handover. Agin teaches parameters of an optimization algorithm (see abstract and col. 6, lines 51-56). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Widegren adapt to include parameters of an optimization algorithm during

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network controller that handover is to proceed (see col. 7, lines 18-40, col. 9, lines 25-28, col. 10, lines 64-67, col. 11, lines 1-2 & 9-12 and col. 12, lines 12-23).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wiesen U.S. Patent No. 6,317,598 discloses a device and method for administering and assigning radio transmission channels in mobile radio networks.

Wallentin U.S. Patent No. 6,292,667 discloses multicell area paging for cellular telecommunications system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

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March 31, 2003

<b>Notice of References Cited</b>	Application/Control No. 09/716,629	Applicant(s)/Patent Under Reexamination SUUMAKI ET AL.	
	Examiner Brandon J Miller	Art Unit 2683	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,374,112	04-2002	Widegren	455/452
	B	US-6,337,989	01-2002	Agin	455/552
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

*RB*

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

944-001, 008-1

09/716,629

APPLICANT

J. Suumäki et al

FILING DATE

11/20/00

GROUP

2681

OF PRIOR ART CITED BY APPLICANT  
(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	AL						
	AM						
	AN						
	AO						
	AP						

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

B3M	AR	TS 25.331 v1.1.0 (1999-06), 3rd Generation Partnership Project (3GPP); Technical Specification Group (TSG) RAN; Working Group 2 (WG2), RRC Protocol Specification
B3M	AS	ETSI TS 101 297 v6.4.0 (1999-08), Digital Cellular Telecommunications System (Phase 2+); General Packet Radio Service (GPRS); Mobile Station (MS) -Serving GPRS Support Node (SGSN); Subnetwork Dependent Convergence Protocol (SNDP) (GSM 04.65 v 6.4.0 Release 1997)
B3M	AT	3G TS 23.121 v3.0.0 (1999-07), 3rd Generation Partnership Project Technical Specification Group Services and Systems Aspects; Architectural Requirements for Release 1999 (3G TS 23.121 v 3.0.0)

EXAMINER

B3M / Mida

DATE CONSIDERED

3/31/03

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.